

MRHFM

maune • raichle • hartley
french & mudd, llc

CLAYTON THOMPSON
PARTNER

150 W. 30th Street, Suite 201 New York, NY 10001
Tel: 800.358.5922 Fax: 314.241.4838

July 17, 2023

The Honorable Michael B. Kaplan
United States Bankruptcy Court, District of New Jersey
Clarkson S. Fisher US Courthouse
402 East State Street, Courtroom #8
Trenton, NJ 08608

Re: LTL Management LLC, Case No. 23-12825 (MBK)

Dear Chief Judge Kaplan:

By way of reply to the letter served by counsel for the FCR (Dkt. 1046) earlier today, please accept my correspondence below. Our Firm's motion (Dkt. 1022) was timely filed and properly set for August 2nd. The FCR's lawyers provide no basis for this Court to *sua sponte* deny it without a hearing. I ask that we keep it set for that date.

When a future mesothelioma victim is diagnosed with a fatal disease caused by Johnson & Johnson, that person will come to a law firm like mine, not to the FCR. For example, MRHFM represents fourteen J&J victims that were "future claimants" at the time in July 2022 when the FCR advocated for all claimants to settle in a bankruptcy the Third Circuit held was filed in bad faith and dismissed. Once the higher courts are finished with the Texas Two Step—whose sole accomplishment is paying hundreds of millions in fees to bankruptcy professionals—victims will have recourse in the tort system, which predates (and is enshrined in) the U.S. Constitution. All future victims are entitled to full state law remedies and the *right to choose for themselves* what to do when faced with a talc-caused-cancer diagnosis.

It's no mystery why the half-trillionaire tortfeasor wants out of the civil jury system and to artificially "cap" what it owes the people it poisoned. But it is bizarre that the FCR—whose duty is to protect the rights of future plaintiffs and to maximize their recovery—apparently supports a capped fund of \$8.9 billion for everyone, forever. The matter of Ms. Ellis' ability to represent future victims is worth taking seriously. The U.S. Trustee opposed her appointment, as did the Official Committee of Talc Claimants. At the very least, this matter should remain on the Court's calendar for an August 2nd hearing.

Sincerely:

**MAUNE RAICHLE HARTLEY
FRENCH & MUDD, LLC**



Clayton L. Thompson, Esq.
**MAUNE RAICHLE HARTLEY
FRENCH & MUDD, LLC**
150 W. 30th Street, Suite 201
New York, NY 10001
(800) 358-5922
cthompson@mrhfmlaw.com